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OLL 85-2788

**Office of Legislative Liaison**  
Routing Slip

TO:	ACTION	INFO
1. D/OLL		x
2. DD/OLL		x
3. Admin Officer		
4. Liaison		x
5. Legislation	x	
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SUSPENSE		30Sept85
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Action Officer	
Remarks:	MFR #85-2970 dated 3 Oct.

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**EXECUTIVE OFFICE OF THE PRESIDENT**  
**OFFICE OF MANAGEMENT AND BUDGET**  
WASHINGTON, D.C. 20503

LEGISLATIVE LIAISON  
85-2788

September 20, 1985

**SPECIAL**

**LEGISLATIVE REFERRAL MEMORANDUM**


TO: Department of Justice  
Central Intelligence Agency  
Department of Defense  
National Security Council

SUBJECT: S. 1429, the "Terrorist Prosecution Act of 1985," and  
Department of State proposed report on S. 1429 and S. 1373,  
the "Protection of United States Government Personnel Act  
of 1985.

The Office of Management and Budget requests the views of your  
agency on the above subject before advising on its relationship to  
the program of the President, in accordance with Circular A-19.

Please provide us with your views no later than September 30, 1985.

Direct your questions to Gregory Jones (395-3454), of this office.

  
James C. Murr for  
Assistant Director for  
Legislative Reference

**Enclosures**

cc: Adrian Curtis  
Karen Wilson  
Russ Neely

United States Department of State

Washington, D.C. 20520



Dear Mr. Chairman:

Thank you for your letters of July 30 requesting our views on S. 1373, the "Protection of United States Government Personnel Act of 1985", and S. 1429, the "Terrorist Prosecution Act of 1985".

On July 30, two State Department Officials, Legal Adviser Abraham D. Sofaer and Ambassador Robert B. Oakley, Director of the Office for Counter-terrorism and Emergency Planning, testified before your committee's Subcommittee on Security and Terrorism on these bills. It is our understanding, based on conversations with Senator Specter's staff, that S. 1429 is essentially intended to encompass and supersede S. 1373.

Certain technical comments on the text of S. 1429 were contained in Judge Sofaer's prepared testimony, and I will not, in the interest of brevity, repeat them here. The Department witnesses also noted the possibility that certain portions of the bill might raise investigatory and prosecutorial concerns that the Department of Justice would be in a position to address. Finally, we expressed reservations over the approach in new section 2321(e) of the bill of specific mandatory allocation of responsibilities within the Executive Branch in this area. Subject to these considerations, we support and welcome S. 1429.

With best wishes,

Sincerely,

William L. Ball, III  
Assistant Secretary  
Legislative and Intergovernmental Affairs

The Honorable  
Strom Thurmond,  
Chairman,  
Committee on the Judiciary,  
United States Senate.